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05 NOV 22 PM 4:15

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE, WESTERN DIVISION

2005 NOV 22 AM 11:34

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TENNESSEE

Plaintiff,

v.

Civil Docket No. 2:04CV2694 D/P

DAVIN CLEMONS, individually and
in his capacity as a police officer for the
City of Memphis, Tennessee, and THE
CITY OF MEMPHIS, TENNESSEE,

Defendants.

APPLICATION, ORDER AND WRIT FOR HABEAS CORPUS AD TESTICANDUM

COMES NOW Plaintiff, David Chalmers, by and through counsel, and applies to the Court
for a Writ to have: Inmate Name: Jonathan Hardaway, DOB: 01/10/1982, RNI: 291163; BOOKING
NOS. 03132802 and 05128801, now being detained in the Shelby County Jail, appear Monday,
November 28, 2005, at 9:00 a.m. before the Honorable Bernice Donald for jury trial and for such
other appearances as this Court may direct.

Respectfully submitted this 22nd day of November, 2005.

THE COCHRAN FIRM - MEMPHIS


DAVID A. McLAUGHLIN (#1561)

Attorney for Plaintiff

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This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 11/23/05

45

Upon consideration of the foregoing Application, David Jolley, U.S. Marshal, Western District of Tennessee, Memphis, TN, Sheriff/Warden, Shelby County Jail.

YOU ARE HEREBY COMMANDED to have Inmate Name: Jonathan Hardaway, DOB: 01/10/1982, RNI: 291163; BOOKING NOS. 03132802 and 05128801, appear at the places, dates, and times aforementioned.

ENTERED this 22nd day of November, 2005.



HONORABLE DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE

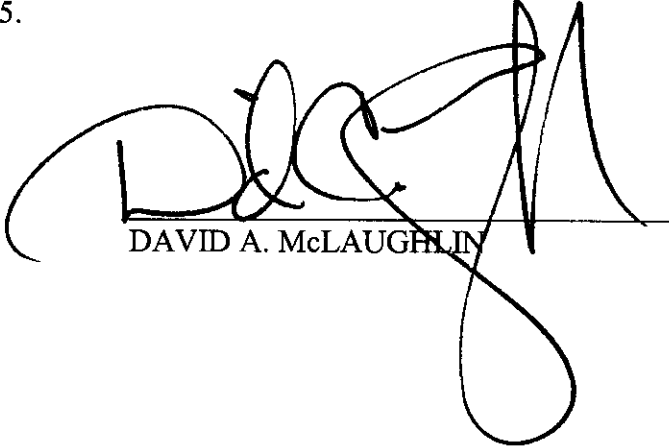
CERTIFICATE OF SERVICE

I, David A. McLaughlin, do hereby certify that I have served a true and exact copy of the foregoing document via fax and U.S. Mail, postage prepaid, upon:

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Attorney for Defendant, City of Memphis
Senior Assistant City Attorney
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Memphis, Tennessee 38103

Deborah Godwin
Attorney for Defendant, Davin Clemons
Godwin, Morris, Laurenzi & Bloomfield, P.C.
50 North Front Street, Suite 800
P.O. Box 3290
Memphis, Tennessee 38173-0290

on this 22nd day of November 2005.



DAVID A. McLAUGHLIN



Notice of Distribution

This notice confirms a copy of the document docketed as number 45 in case 2:04-CV-02694 was distributed by fax, mail, or direct printing on November 23, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT